IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 805 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ANITABEN KANTILAL THAKORE

Versus

ASHOKBHAI KESHAVLAL PANCHAL

Appearance:

MR PREMAL R JOSHI for the Petitioner.

RULE SERVED for Respondent No. 1,3

MR JB DASTOOR for Respondent No. 2

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 21/12/2002

ORAL JUDGEMENT

In spite of service of notice, nobody appears for respondent Nos. 1 and 3. Mr.Dastoor appears for respondent No.2.

By the present petition, the petitioner, who is the original claimant of Motor Accident Claims Petition No.16 of 1999, has prayed for transfer of the M.A.C. Petition from Palanpur to the Motor Accident Claims Tribunal at the City Civil Court, Ahmedabad, on the ground that the claimant is a minor and that she is a student. In paragraph 4 of the MCA, it is averred that because of the injury, she is unable to travel for a long time and other difficulties are narrated in the said paragraph. It is, therefore, prayed that the said Claim Petition may be transferred from Palanpur to the Motor Accident Claims Tribunal at the City Civil Court, Ahmedabad. Mr.Dastoor for respondent No.2 submits that he has no objection if such transfer order is passed.

Considering the said facts and circumstances of the case, this Miscellaneous Civil Application is allowed. MAC Petition No.16 of 1999 is accordingly ordered to be transferred from Palanpur to the Motor Accident Claims Tribunal at the City Civil Court, Ahmedabad. Rule is made absolute. No costs.

Writ to be sent to the trial court forthwith.

21st December, 2002 (P.B. Majmudar, J.)

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(apj)